



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: James C. KENNEDY et al.

Title: PHOTOCHEMOTHERAPEUTIC METHOD USING 5-AMINOLEVULINIC ACID AND OTHER PRECURSORS OF ENDOGENOUS PORPHYRINS

Appl. No.: 10/663,992

Filing Date: 09/17/2003

Examiner: Unassigned

Art Unit: 1614

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop PATENT APPLICATION
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicants submit herewith on Form PTO/SB/08 a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial No. 09/928,505, filed 08/14/2001. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

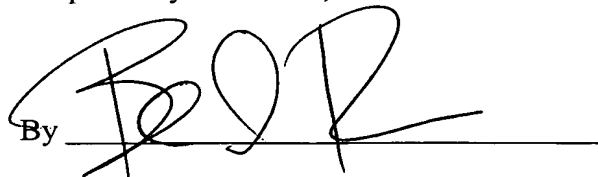
The relevance of the listed documents is explained in the parent application.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

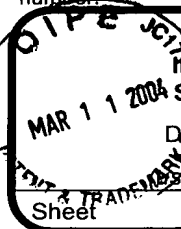
Date 11 March 2004

By 

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 Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: March 11, 2004 (Use as many sheets as necessary)		Complete if Known	
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First Named Inventor		James C. KENNEDY	
Group Art Unit		1614	
Examiner Name		Unassigned	
Attorney Docket Number		067286-0275	
Sheet	1	of	4

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	4,772,681		FUKUDA, et al.	09/1988	
	A2	4,925,736		SHIKOWITZ	05/1990	
	A3	4,932,934		DOUGHERTY, et al.	06/1990	
	A4	4,977,177		BOMMER, et al.	12/1990	
	A5	5,004,811		BOMMER, et al.	04/1991	
	A6	5,079,262		KENNEDY, et al.	01/1992	
	A7	5,127,938		REBEIZ	07/1992	
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	A10	5,211,938		KENNEDY, et al.	05/1993	
	A11	5,219,878		RINGUET, et al.	06/1993	
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FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A19	EP	0 233 701			08/1987		
	A20	WO	91/01727			02/1991		
	A21	WO	93/08715			05/1993		
	A22	WO	93/20810			10/28/1993		
	A23	WO	94/106424			03/31/1994		
	A24	WO	94/12239			06/09/1994		
	A25	WO	95/07077			03/1995		
	A26	WO	95/05813			03/02/1995		
	A27	WO	95/31189			11/23/1995		

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	A28	BOEHNCKE, et al., Treatment of Psoriasis by Topical Photodynamic Therapy with Polychromatic Light, <i>The Lancet</i> , 343:801, March 1994.	
	A29	FUKUDA et al., Photodynamic Action of Endogenously synthesized Porphyrins from Aminolevulinic. . . , <i>Int. J. Biochem.</i> , 25:10; 1395-98, 1993.	
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	A43	SZEIMIES et al., "Topische Photodynamische Therapie In Der Behandlung Oberflaechlicher Hauttumoren", <i>Hautarzt</i> , Vol. 46:315-318, (1995).	
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	A55	ROBINO et al., "Porphyrin Metabolism In Human Neoplastic Tissues", <i>Panminerva Medica</i> , pp. 290-92.	

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	A56	SAMSOEN M., Arsenal Medicamentoux Dermatologique, Pg.603-606, ISSN. 0752-5370 (1995) (Abstract).		
	A57	POTTIER et al., "Non-Invasive Technique for Obtaining Fluorescence Excitation and Emission Spectra In Vivo", <i>Photochemistry and Photobiology</i> , Vol. 44, No. 5, pp 679-687, (1986).		
	A58	MANDELL ET AL., <i>Principles and Practice of Infectious Diseases</i> , 4 th ed. 1995, pp. 1388, 1393-1396.		
	A59	N. NAVONE ET AL., "Porphyrin biosynthesis in human breast cancer. Preliminary mimetic <i>in vitro</i> studies", <i>Med. Sci. Res.</i> , 1988, Vol. 16, pp. 61-62, Buenos Aires, Republica Argentina.		

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